

REMARKS/ARGUMENTS

Claims 1-11 are pending in this application. Claim 3 has been canceled. Claims 1-2 and 4-11 have been amended. The claims were reworded to substitute the routinely used "wherein" for the less common "characterized in that." These changes were made for purposes of clarification unrelated to patentability concerns.

The specification has been conformed to correspond to the preferred format for U.S. patent applications, and a Substitute Specification and Comparison Copy are submitted herewith.

Reconsideration is respectfully requested in light of the foregoing amendments and following remarks.

Claim Rejections - 35 USC § 102

The pending claims have been rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,360,225 to Kleewein et al ("Kleewein"). Applicants respectfully disagree with the alleged anticipation of the presently pending claims by the cited reference. Applicants respectfully submit that it appears that the Examiner is of the opinion that computer 228 of Kleewein can be compared with the first host device as recited in the pending claims, and that the servers 108A to 108C of Kleewein can be compared with the further host devices of the presently claimed invention. Applicants respectfully submit that the computer 228 is a part of server 108A (e.g., see Fig. 2 and col. 4, lines 58-60 of Kleewein). As the server 108A is not a host device different from its computer, the reference does not anticipate the presently pending claims.

Assuming arguendo that the each of the servers 108A-108C of Kleewein were host devices, which they are not, as recited in the presently pending claims, the device of claim 1 is not anticipated by the Kleewein reference because the servers 108A-108C are not connected to each other by a transmission path for exchanging data and/or signals with one another. In particular, a review of Fig. 1 of Kleewein shows the structure of the system in which one client

104 is connected via an interface module to a plurality of data bus instances 110A to 110F which execute on a plurality of servers 108A to 108C. The interface module 106 provides client 104 with a common interface to all of the database instances where the interface module places the client 104 under the illusion that it is interfacing with a single database system containing all of the data stored in database instances 110A to 110F (e.g., see col. 3, lines 17-45 of Kleewein). Furthermore, Fig. 1 of Kleewein shows the topology of a known system where the interface module is connected to each database instance in the respective server by an individual connection line. These connection lines are discrete connections. In stark contrast, in the presently claimed invention, a bus system is provided, and in particular a bus system representing a ring connection. Since Kleewein does not disclose or suggest such a bus system, Kleewein is also silent with regard to bus management, as is recited in claim 7. In Kleewein, interface module 106 manages the access from the client to the respective database instances provided on the different servers. Applicants respectfully submit that the bus management of the presently claimed invention is distinguishable from the individual database access of the cited reference, for reasons set forth above.

In order to better articulate and thus provide an adequate level of protection for the presently claimed invention, Applicant have amended independent claims 1 and 7 without acquiescence and prejudice as set forth above. These claims have been amended to clearly articulate that the transmission path is implemented as a data bus and that the data bus represents a ring connection. Applicants respectfully submit that the amended claims are not anticipated by the cited reference for the reasons set forth above. Furthermore claims 2 and 4-6, which depend from independent claim 1 and include all the features and elements of claim 1, are patentable at least to the same extent that claim 1 is patentable for the reasons set forth above. In addition, claims 8-11 which depend from independent claim 7 and include all the features and elements of claim 7, are also patentable at least to the same extent that claim 7 is patentable for the reasons set forth above.

CONCLUSION

In view of the foregoing, applicant submits that this application is in condition for allowance, and a formal notification to that effect at an early date is requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (925) 472-5000.

Respectfully submitted,



Babak Kusha
Reg. No. 51,095

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200
Fax: (415) 576-0300
BK/l1s
60572596 v1